

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF NORTH CAROLINA  
WESTERN DIVISION

No. 5:10-CR-162-FL

UNITED STATES OF AMERICA,

v.

ROCKY MORALES-CORTEZ

)  
)  
)  
)  
)  
)  
)

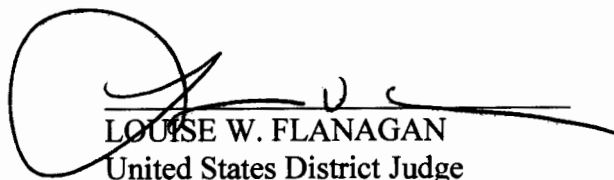
ORDER

Defendant was sentenced on 11/19/10 to 71 months in the custody of the Federal Bureau of Prisons. The record reflects that this court, among other things, decided that defendant's criminal history placed him in criminal history category IV. On appeal, the United States Court of Appeals for the Fourth Circuit affirmed this court's determinations concluded in judgment.

Defendant has now filed a *pro se* motion to correct his criminal history category where he complains that his prison case manager has categorized him in criminal history category 6, which is a different security level. No response having been filed, the recently ripened motion comes now before this court.

Defendant's complaint about treatment in prison cannot be decided in the context of this long concluded criminal action. As such, to the extent the motion sounds as a request to review his treatment, including the described designation, said motion is DENIED.

SO ORDERED, this 3<sup>rd</sup> day of April 2013.

  
LOUISE W. FLANAGAN  
United States District Judge